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Held at Headquarters, New York, on Friday, 12 October 2001, at 3 p.m.

Chairman: Mr. Hasmy ..... (Malaysia)

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The meeting was called to order at 3.10 p.m.

Agenda item 18: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*continued*) (A/56/23 (part II), chap. VI, IX-XI, A/56/23 (part III), chap. XIII (D-F, H), A/56/1 and Corr.1, A/56/159, S/2001/148, 398 and 613)

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Agenda item 12: Report of the Economic and Social Council (*continued*) (A/56/23, chap. VII, sect. E)

Agenda item 94: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (*continued*) (A/56/88)

1. **Mr. Chaudhry** (Pakistan) said that decolonization was one of the main inspirations of the founding Members of the United Nations, as illustrated by Chapter XI of the Charter of the United Nations; it was therefore important to intensify efforts to combat colonialism and foreign occupation. He welcomed the progress made in several Territories, including New Caledonia, Western Sahara and East Timor. However, although there was a growing realization among the administering Powers that freedom could not be denied to a people indefinitely, some continued to claim that the peoples of the Non-Self-Governing Territories had accepted the existing arrangements; the truth of that assertion should be verified by independent observers or through a referendum organized under the auspices of the United Nations.

2. Over the past 56 years, significant progress had been made under the aegis of the United Nations, but many peoples continued to be denied freedom by foreign occupying forces. Palestine and Kashmir were two glaring examples. However, although there had been ongoing discussions on the question of Palestine, no meaningful dialogue had taken place with regard to Kashmir for over half a century. Contrary to what some might contend, it was absolutely clear that Kashmir could not be considered an integral part of any country. In 1947, India itself had acknowledged that that there was a dispute about the status of Kashmir and had committed itself to organizing a plebiscite on the subject. All parties were in agreement on that point, which was also embodied in the relevant resolutions of the Security Council. Pakistan considered that the attempts to confuse the right to self-determination with terrorism besmirched the memory of the architects of the independence of many countries, particularly in southern Asia. Kashmir was fighting against foreign subjugation, domination and exploitation, a right that was recognized by the Declaration on the Granting of Independence to Colonial Countries and Peoples.

3. Pakistan condemned terrorism and considered that both individuals and States that committed acts of terrorism should be combated. The fight against terrorism should be extended to those who used the State apparatus to trample on the fundamental and inalienable rights that the Declaration sought to protect. Pakistan had consistently supported decolonization and self-determination and was strongly committed to a final settlement of the Kashmir dispute that respected the wishes of the people of Kashmir and the pertinent resolutions of the Security Council. It urged the interested parties to do their utmost to resolve the current impasse.

4. **Mr. Muchetwa** (Zimbabwe) deplored the fact that the Declaration on the Granting of Independence to Colonial Countries and Peoples and the International Decade for the Eradication of Colonialism had not led to the complete eradication of colonialism. The right to self-determination was a fundamental right and no one could be deprived of it. It was particularly important to provide adequate information to the peoples who had to make political decisions.

5. He welcomed the involvement of the United Nations in East Timor and the progress made by that Territory on its road towards independence. He called for the continued involvement of the United Nations in

the process of decolonizing the remaining Non-Self-Governing Territories in order to ensure that that process was seen as fair by the peoples of the colonial Territories.

6. Zimbabwe, which had itself suffered from colonialism, denounced the delaying tactics being used to prevent the holding of a referendum in the Western Sahara and called for a speedy implementation of the Baker agreement that had been endorsed by the two parties to the conflict. The United Nations should impose sanctions on any of the parties that failed to comply with that Agreement. He appealed to the developed countries to use their influence to bring an end to a situation that endangered peace and security in the region.

7. Zimbabwe rejected the argument that there was no difference between terrorists and freedom fighters. The actions of the former were criminal in nature, while the latter fought for the recognition of their right to self-determination.

8. **Mr. Oyarzun** (Spain) said that the United Kingdom and Spain had addressed the practical issues relating to cooperation and sovereignty during the ministerial meeting convened on the question of Gibraltar on 26 July 2001 within the framework of the Brussels Declaration of 1984. The two parties were determined to reach a rapid settlement on the question to the satisfaction of both parties. Spain, like the United Kingdom, favoured the participation of the people of Gibraltar in the negotiations and invited the Prime Minister of Gibraltar to attend the next ministerial meetings. As far as the declarations made by the Prime Minister of Gibraltar and Mr. Bossano before the Fourth Committee were concerned, Spain's position on the conflict had not changed, as the Special Committee must have noted from the statement made on 18 June 2000 by the Spanish delegation.

9. **Mr. Ri** Kyong Il (Democratic People's Republic of Korea) said it was not normal that 40 years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples, many territories were still under the yoke of colonialism because of their strategic location and their natural resources. It could not be claimed that outright annexation or the granting of limited autonomy by the administering Powers was the expression of the right to self-determination. That right must be based on respect for the history, culture and language of the peoples of the Non-Self Governing Territories. The administering Powers must really guarantee the equality and rights of self-determination of the colonial peoples, properly inform them about their rights, and agree to allow United Nations observers to visit the Territories. They should also commit themselves to political and social development and protect the natural resources of the Non-Self-Governing Territories. Lastly, they should stop using those Territories as military bases. In that regard, his delegation supported the position of the Caribbean countries, which opposed military exercises organized in the region by the administering Powers. His delegation hoped that the question of Non-Self-Governing Territories would be settled through negotiations and in accordance with the principles laid down in the Declaration.

10. **Mr. Osei** (Ghana) said that the international community's inability to complete the process of decolonization in time had proved that it was necessary to review the existing mechanisms for and identify obstacles to decolonization.

11. Colonialism in all its forms undermined development and there could be no justification for its retention at the current stage of mankind's evolution. Ghana continued to support the right of colonial peoples to self-determination and called upon the administering Powers to respect that right and to give consideration to the fundamental rights as well as political and socio-economic interests of the people in the Non-Self-Governing Territories.

12. The Special Committee remained very relevant to the United Nations efforts to bring about a speedy conclusion to the decolonization process. The Week of Solidarity with the Peoples of Non-Self-Governing Territories observed during the Caribbean Regional Seminar had helped the Special Committee to publicize the situation in those Territories and to keep the issue alive at the international level.

13. The effective functioning of the Special Committee depended on the cooperation it received from the administering Powers. His delegation therefore welcomed the fact that formal and informal consultations were continuing between the Committee and the administering Powers with a view to determining the most suitable steps to be taken to allow the populations of those Territories to exercise their right to self-determination. He also welcomed the continuing cooperation between the Government of

New Zealand and the Special Committee on the question of Tokelau.

14. The Special Committee must continue to explore new ways of enhancing its effectiveness, including confidence-building measures that needed to be taken in order to improve its ongoing dialogue with the administering Powers, such as more frequent consultations between the two sides.

15. Turning to the question of Western Sahara, he said that Ghana continued to uphold the right of the Saharan people to self-determination and found it regrettable that, despite the efforts of the facilitators, the settlement plan which would have paved the way for a referendum had ended in a deadlock. All parties involved in the conflict should demonstrate flexibility and be willing to compromise in order to overcome the deadlock.

16. The success of the recent elections in East Timor had proved what the collective will of the international community could achieve. Cooperation between the Special Committee and administering Powers, and between the latter and the Non-Self-Governing Territories, should take place in that spirit.

17. **Mr. Semakula Kiwanuka** (Uganda) said that the international community should seize the opportunity provided by the Second International Decade for the Eradication of Colonialism to steer the Non-Self-Governing Territories towards the road to independence without further delays. His delegation rejected the excuse advanced by some administering Powers that most of the Non-Self-Governing Territories were too small to administer themselves; it believed that the peoples of those Territories must decide for themselves whether or not they wished to be federated with larger entities.

18. Noting that, in its resolution 55/141, the General Assembly had supported the organization of a referendum for self-determination of the people of Western Sahara that was impartial and free of all constraints and had also urged the parties to the conflict to cooperate with the Secretary-General and MINURSO, he said that his delegation was disappointed by the slow progress on that issue and requested the parties concerned to seek an end to the conflict. Aware of the role played by the United Nations for more than 50 years, he invited it to continue to work for decolonization.

19. **Mr. Koonjul** (Mauritius) said that, on the founding of the United Nations in 1945, around 750 million people, or one third of the world's inhabitants, had been living in territories that were non-self-governing or dependent on colonial Powers. Less than two million people remained in those territories, which was a good indication of the progress achieved, and confirmation that the United Nations had played a vital role in the area of decolonization. However, there was still a lot of work to be done in order to realize the goals enshrined in the Declaration on the Granting of Independence to Colonial Countries and Peoples. Despite some progress in the decolonization process during the first International Decade for the Eradication of Colonialism, greater efforts should have been made in implementing the Plan of Action. Currently, at the start of the Second International Decade, there were still 17 Non-Self-Governing Territories under colonial control.

20. Mauritius, a former colony, believed that those living under colonial occupation had the inalienable right to self-determination, irrespective of the size of the territory, its geographical location or its endowment in natural resources. The United Nations and the international community as a whole had the obligation to facilitate the decolonization process, for which the cooperation of the administering Powers was essential.

21. In East Timor, the relentless efforts of the United Nations and the international community, coupled with the strong determination of the East Timorese people had finally paved the way for a self-governing and democratic East Timor. The high level of participation in the most recent elections was a good illustration of that indomitable drive for self-rule. The United Nations Transitional Administration in East Timor (UNTAET) was to be congratulated on contributing to the transition to self-government. A post-independence East Timor would be faced with pressing challenges, including peace-building and economic reconstruction. Prudent action should be taken in order to ensure that the people of East Timor could build on the achievements of the international community. He noted with satisfaction that the Security Council had already reiterated the importance of ensuring a substantial international presence in East Timor after independence.

22. The Saharan people, on the other hand, were still struggling for their right to self-determination, since Western Sahara remained the last Non-Self-Governing

Territory in Africa. It was imperative to bring the process of its decolonization to a speedy conclusion. The General Assembly, in its resolution 55/141, as in previous resolutions, had reiterated the need to settle the question of Western Sahara by implementing the settlement plan accepted by the Frente POLISARIO and the Kingdom of Morocco 10 years earlier which enjoyed the support of the international community to a large extent. The United Nations had since deployed MINURSO, in 1991, in order to prepare for the implementation of the settlement plan and to organize and conduct the much-awaited referendum.

23. It had not taken place, owing, in particular, to difficulties which had cropped up in the identification and appeal processes. The Frente POLISARIO had submitted proposals for a solution to the outstanding issues, which needed to be carefully examined in an open and constructive spirit. The Personal Envoy of the Secretary-General had also submitted proposals in the form of a draft framework agreement; however, the implementation of the settlement plan remained the only viable premise for a successful settlement of the question of Western Sahara unless the two parties reached a mutually acceptable alternative solution.

24. **Ms. Cedeño-Reyes** (Venezuela) said that her country was fully committed to the cause of decolonization and to the attainment of the objectives of the Second International Decade for the Eradication of Colonialism. As a member of the Special Committee on Decolonization, her country had always striven for the creation, among all parties, of a climate of understanding conducive to a fruitful dialogue for negotiations, and had supported or co-sponsored decisions and resolutions that had contributed to the attainment of substantial progress in the implementation of the 1960 Declaration.

25. In the context of the activities of the Special Committee, the importance of regional seminars and of visiting missions to Non-Self-Governing Territories should be emphasized. The information gathered in that way illustrated the close interrelationship between the political, economic and social variables in each Territory, and the study of those variables was essential to the better understanding of each case and the more accurate evaluation of the factors influencing the effective implementation of resolution 1514 (XV). That had been convincingly demonstrated by the recent regional seminar held at Havana.

26. The Special Committee and the entire international community should now join forces to evolve a well-conceived and better executed policy for removing the obstacles encountered during the preceding decade in implementing the resolutions and decisions of the General Assembly on that subject. In that context, the effectiveness of the future work of the Special Committee would depend on the support of the main actors and of the international community with respect to the pending issues. In that connection, the administering Powers had a special and unavoidable responsibility. Their cooperation with the Special Committee was crucial for the case-by-case consideration of the situation of the Territories in question.

27. Her country fully subscribed to the statement made to the Fourth Committee by the Chilean delegation on behalf of the members of the Rio Group but wished to add a few comments. On the subject of Western Sahara, a fair and impartial referendum should be held as soon as possible in compliance with the provisions of the 1991 settlement plan, which was the only mechanism accepted by the interested parties. As the representatives of the Polisario Front had stated that they did not accept the framework agreement proposed in the most recent report of the Secretary-General on that subject, the efforts made under United Nations auspices within the framework of the 1991 settlement plan should be continued.

28. Furthermore, with respect to the question of the Malvinas Islands, her country reaffirmed its support for the Argentine Republic's claim to sovereignty over the islands and again called on both parties to hold talks so as to arrive at a fair resolution of the dispute. The very high-level dialogue and the recent cooperation between the Governments of Argentina and the United Kingdom might create the necessary conditions for such negotiations.

29. Finally, her country hoped that the United Nations would strengthen and improve its assistance to the Non-Self-Governing Territories, which thanks to the various programmes and activities of the Organization would make progress towards decolonization. The contacts and meetings that were to take place between the Special Committee on Decolonization and the Economic and Social Council would give an idea of the various ways in which policies in that connection might be pursued or developed.

30. **Mr. Hussein** (Ethiopia) said that the issue of decolonization required innovative and practical approaches in the search for a specific solution for each of the remaining Non-Self-Governing Territories, subject to the expressed wishes of the population of those Territories, to the United Nations Charter and to General Assembly resolution 1514 (XV) and other relevant United Nations resolutions. It was to be hoped that the Second International Decade for the Eradication of Colonialism would see the complete eradication of colonialism and the final liberation of the peoples of the Non-Self-Governing Territories who would be free to choose their political, economic and social systems. In the twenty-first century, there should no longer be a single Non-Self-Governing Territory.

31. With respect to Western Sahara, which was the last African Territory remaining to be decolonized, his country strongly supported the Saharan people in its struggle for self-determination and commended the efforts of the Secretary-General, in collaboration with OAU, on behalf of the people of Western Sahara in accordance with the original settlement plan; his delegation was concerned, however, at the numerous problems relating to the implementation of the settlement plan. It therefore urged the two parties to cooperate fully with the Secretary-General, his Personal Envoy and his Special Representative in implementing the various phases of the plan and in overcoming the difficulties that remained despite the progress achieved.

32. **Mr. Villacis** (Ecuador) said that, since gaining its independence, his country had always adhered faithfully to the principles of international law and had consistently supported the right of peoples to self-determination. The General Assembly had reaffirmed that the existence of any manifestation of colonialism whatsoever was incompatible with the Charter of the United Nations and had supported the peoples that were subject to a colonial regime with a view to the exercise of their right to self-determination.

33. The efforts of the United Nations had resulted in considerable progress in the process of decolonization, as the number of Member States that had gained their independence over the past four decades attested. For that reason, his country reaffirmed its strong commitment to continuing cooperation in order to end colonialism in all its forms and manifestations.

34. Ecuador wholeheartedly endorsed the statement made by the Chilean delegation on behalf of the Rio Group concerning the Malvinas and East Timor. With regard to Western Sahara, he reiterated his support for the Saharan people in their just struggle to achieve complete independence. Ecuador therefore firmly supported the settlement plan accepted by Frente POLISARIO and the Moroccans, and regarded it as the only path to a peaceful solution. Implementation of the plan would make it possible to avoid a pointless confrontation between the parties and ensure peace in that part of Africa. Ecuador also hoped that the last traces of colonialism would disappear in the near future.

35. **Mr. Al-Zayani** (Bahrain) said that the fortieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples had provided an opportunity to reflect on the achievements of the United Nations in the field of decolonization. The Millennium Declaration had reaffirmed the role to be played by the Organization in that regard, which flowed from the Charter and the Declaration, and had also reiterated the international community's support for the right of peoples to self-determination. It had proved impossible to attain the main objective of the International Decade for the Eradication of Colonialism, but the United Nations could take pride in its achievements in that area as well as in many other areas where it was active. During the 40 years which had passed since the adoption of the Declaration, the United Nations had worked tirelessly to achieve the goals set out therein and in subsequent documents and resolutions. During that period, most colonialized peoples had been able to free themselves from colonial domination and establish independent States which had joined forces with the United Nations, particularly in the Special Committee. The latter had considered colonialism to be a violation of the Charter of the United Nations, of the Declaration itself and of the principles of international law and deemed it an obstacle to the development of international economic cooperation and of the social, cultural and economic cooperation of non-independent peoples. The United Nations had, in many resolutions reaffirmed its determination to attain the ultimate goal of eliminating colonialism by adopting the necessary measures. He hoped that that goal would be attained during the Second International Decade for the Eradication of Colonialism.

36. **Mr. Mwakawago** (United Republic of Tanzania) observed that, despite the progress made by the Special Committee since the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples, much remained to be done if colonialism was to be totally eradicated, for 17 Territories had still not exercised their right to self-determination.

37. There was an urgent need to settle the question of Western Sahara and enable the people of the Territory to exercise fully their inalienable right to self-determination. His country hoped that the search for a lasting solution to the conflict would take place within the framework of the settlement plan approved by the Organization of African Unity and the United Nations. The Second International Decade for the Eradication of Colonialism afforded the international community another opportunity to obtain sustainable results in that regard. His country welcomed the efforts made by the Special Committee to engage the administering Powers in a constructive dialogue and hoped that they would collaborate further with the Committee so that the peoples of the Non-Self-Governing Territories could decide their future freely.

38. It was regrettable that the people of those Territories were not sensitized to the political options open to them in the exercise of their right to self-determination. His country therefore welcomed the convening of regional seminars such as the regional seminar for the Caribbean held in Cuba in May 2000, which had conducted a critical review of the political evolution of the Non-Self-Governing Territories and undertaken a sensitization process. The recommendations of the seminar could guide the work of the General Assembly on small island Non-Self-Governing Territories. It was in the interest of the United Nations to ensure the curtailment of military activities by the administering Powers in the Territories under their jurisdiction, as they ran counter to the rights and interests of the peoples of those Territories.

39. The remarkable achievements in East Timor gave reason to hope that the last vestiges of colonialism would soon disappear. It was also to be hoped that the Organization's fight against terrorism would not deflect it from pursuing the battle against colonialism.

40. **Mr. Moungara-Moussotsi** (Gabon) said that his country attached great importance to the question of Western Sahara, given its excellent relations with the Maghreb countries. Gabon had always advocated a peaceful and negotiated solution to the question and supported the efforts of the United Nations Secretary-General to that end.

41. The new proposals of the Secretary-General and his Special Envoy, Mr. James Baker, constituted a further step towards a just and lasting settlement of the question of Western Sahara.

42. In that connection, his delegation supported the draft framework agreement on the status of Western Sahara and congratulated the Secretary-General and his Special Envoy on their work. He invited the parties to pursue their efforts in the spirit of openness that characterized the draft resolution before the Committee, A/C.4/56/L.2.

43. **Ms. Howe-Jones** (United Kingdom), speaking in exercise of the right of reply, in response to the comments made in the meeting by the representative of Spain concerning Gibraltar, said that the British Government's position on the question remained identical to that expressed by the representative of the United Kingdom in the General Assembly on 14 September 2000. She thanked the representative of Spain for having drawn the Committee's attention to the resumption, on 26 July 2001, of the talks on Gibraltar between the Ministers for Foreign Affairs of Spain and the United Kingdom and to the importance of the involvement of Gibraltar in the process. Like Spain, the United Kingdom wanted the Chief Minister of Gibraltar to participate in future ministerial meetings.

44. In response to the comments made by the representatives of Venezuela and Ecuador concerning sovereignty over the Falkland Islands, she emphasized that her Government's position on the issue was well known and had been set out in detail in the statement made in exercise of the right of reply in response to the statements of the representatives of Chile, Cuba and Uruguay in the Fourth Committee on 8 October 2001.

45. **Mr. Sinha** (India) said that his delegation categorically rejected the comments made by the representative of Pakistan regarding the Indian state of Jammu and Kashmir. The state of Jammu and Kashmir had been, was and always would be an integral part of India. It seemed that the representative of Pakistan was seeking to justify the cross-border terrorist acts perpetrated against India in the state of Jammu and Kashmir and in the rest of the country. In the context of

the tragic events of 11 September 2001, that attitude was particularly regrettable.

46. India's position concerning Palestine was well known and did not need to be repeated. It was somewhat surprising that the representative of Pakistan was attempting to link that issue to the question of the Indian state of Jammu and Kashmir, which was the target of the most contemptible acts of terrorism.

47. Lastly, he welcomed the new information provided on the status of the Non-Self-Governing Territory of Tokelau.

48. **Mr. Estremé** (Argentina) said that his delegation found itself obliged to clarify its position on the question of the Malvinas Islands, since the representative of the United Kingdom had twice referred to that question during the debate on decolonization. Argentina had no doubt as to its right to sovereignty over the Malvinas Islands, South Georgia, the South Sandwich Islands and the surrounding waters.

49. In that connection, he was grateful to all those delegations that had manifested their support for Argentina during the debate, including the delegations of Chile (on behalf of the Rio Group), Uruguay (on behalf of the South American Common Market (MERCOSUR)), Cuba, Venezuela and Ecuador.

50. Those statements demonstrated that the hemisphere was interested in finding a solution to the question of sovereignty over the Malvinas Islands through bilateral negotiations between Argentina and the United Kingdom; that was also the solution favoured by the United Nations. The General Assembly and the Special Committee on Decolonization had adopted numerous resolutions calling for a negotiated settlement of the dispute between Argentina and the United Kingdom. Argentina was ready to see such negotiations through to a successful conclusion with a view to achieving a speedy solution to the question.

51. **Mr. Chaudhry** (Pakistan) thanked the representative of India for having pointed out the reference to Tokelau. There had been a typographical error, and the reference should have been to Tuvalu. His delegation had informed the Secretary of the Committee and the error had been corrected.

52. His delegation did not wish to initiate a polemic. It had simply wished to recall certain facts that were a matter of record and could be verified by all and to reaffirm the noble aspirations of the region's leaders. It believed that there was a need to encourage a speedy solution to the question in order to advance peace and stability in the region.

The meeting rose at 4.55 p.m.